# THE SUB-TREASURY DEFALCATION

Further Facts About the Robbery by the Interna! Revenue Stamp Clerk.

General Hillhouse Thinks It a Legal Question Whether He is Responsible.

Mothing Yet Known of the Whereabouts of the Defaulter-Johnson an Old Stock Speculator-How the Money Went-A Long Series of Peculations.

The rebnery by James E. Johnson, the clerk in the Internal Revenue Stamp Department of the Sub-Treasury, was the main topic of conversation in Wall street yesterday. The full expose, published by the HERALD, was read with great interest by every financial man on the street, and many were the comments made. The statement of General Hillhouse, the Assistant Treasurer, was scanned with peculiar interest, he being the principal party interested in the transaction. The ques tion whether he would suffer for the dishonesty of his clerk excited a great deal of discussion. With the view of ascertaining the exact responsibility of General Hillhouse in the matter, the reporter of the HERALD called upon him yesterday afternoon. He was received with the same courtesy as on the previous day, though General Hillhouse appeared be in no very enviable frame of mind.

IS THE ASSISTANT TREASURER RESPONSIBLE? "I have called, General," said the reporter, "to scertain whether the statements which have been made that you or your bondsmen are responsible

"That," answered the General, "is a very nice point of law, and it is a legal question whether I am responsible or not. I might tell you I was or I was not, but it would amount to nothing,"
"Yet, General," said the reporter as blandly as

he was able, "in a question which affects you so vitally you must have an opinion ?" "I might have an opinion," rejoined the Assistant Treasurer, "but what use would it be to give it when any lawyer knows more about it than I do?" "From the very fact that you do not give an

opinion," insisted the reporter, "the public will probably inter that you hold that you are not reprobably infer that you hold that you are not responsible, especially as you seem inclined to make it a question of law."

"The public is at liberty to infer what it pleases," reiterated the General, somewhat warmly. "For myself I am not really able to make any positive statement about my liability in the matter."

"Is there anything new in the Johnson matter?"

"Nothing that I know of. Things remain unchanged since yesterday."

"The detectives, I presume, are working the case up."

The reporter retired and went in quest of Mr. Leipold, the head of the examining corps. This gentleman had his hat on and was just leaving the building. The reporter buttonholed him. "Do you know anything new in the defalcation of Johnson?"

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"Do you know anything new in the defalcation of Johnson?"

MR. LEIFOLD—No. I have been at work searching up the accounts and I can find no further deficit. REPORTER—It remains, then, at \$188,000?

MR. LEIFOLD—Ves, that is the correct figure. I have finished my examination in this matter, and I can safely say nothing further is wrong. My assistants have also completed their examination of the cash in the Treasury, and we find that everything with this one exception is correct.

The reporter was about to leave when Mr. Leipold buttonholed him in turn.

"In your report of the interview with me yesterday," he said, "you made one mistake. You made me state that it was I first discovered the frands. This is not so. When the first examination was made things appeared all right. But General Hillhouse was not satisfied and ordered a second examination. This was done by Mr. White, the cashier, and General Hillhouse himself. They found out the sums which were missing, and I came on just in time to make a third examination, which proved that they were correct. I do not wish to claim any credit that belongs to other parties in the matter. I was not here when the little girl came and asked for Johnson, which little incident first created suspicion. All I can claim is to have verified what others had begun."

What THE DETECTIVES ARE DOING.

The Herald reporter assured Mr. Leipold the correction should be made, about which he appeared to be very anxious. Captain Sampson, the detective, was next sought and found.

"Have you anything new, Captain, in the Johnson matter?" asked the reporter.

Captain Sampson—Not much just now that I am at liberty to state. The case is being worked amoothly, and I can say this much, that an immense deal of headway has been made since yesterday in the case,. All the avenues have been guarded. It is only just to say that the government has afforded all the help in its power, which is very important to us just now.

is just now.
REPORTER—Have you any idea where Johnson is

REFORTER—Have you any late which is the resent located?

Captain Sameson—That is a very hard thing to answer. I have very strong reasons to believe he is in the country, and then, again, I have good cause to think that he has escaped. It is impossible to the country of the co

is in the country, and theu, again, I have good cause to think that he has escaped. It is impossible, in the present state of affairs, to say which is the case. All can say is that we are working thard to do all that can be expected of us in this case, and I think we have a very good chance to succeed. Nothing will be left undone to discover the criminal, I assure you.

REFORTER—Another question. You know all about matters around here. Tell me what is the responsibility of General Hillhouse in this defalcation. Is he responsible for Johnson's robbery?

GENERAL BILLHOUSE IS RESPONSIBLE.

Cap tain SAMPSON—Of course he is, as a question of law. He has bonds in \$800,000, and his bondsmen are responsible to this amount. For every cont which o, "appears by the action of his subordinates General Hillhouse is responsible, and is bound to make 1, good. That's what makes the action of Johnson so peculiarly scoundrelly. Yes, my dear boy, that's how the matter stands, and 1, anything were wanted to make us use extra effort. To catch the thief it would be the knowledge of this int. It's a hard case right through. Johnson was the sating of such a crime. I have no sympathy with the man, mind you, but I have had a great deal of experience round here, and I agree with you that the entire system of our banks round here is wrong. They put too much trust in human nature. A poor man has a fortune confidence with you that the entire system of our banks round here is wrong. They put too much trust in human nature. A poor man has a fortune confidence with you that the entire system of our banks round here is wrong. They put too much trust in human nature.

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A poor man has a fortune confided to him, and some day the temptation comes and he makes of with it."

With General Hillhouse Says sub rosa.

Naturally, the Johnson robbery has thrown a gloom over the entire force of clerks in the Subtreamy building. They keenly feel the disgrace that one of their number should have turned out so bad. It may be interesting to state, however, that among financial men in Wall street it is the opinion that no finer body of clerks exist in any public department than those in the Sub-Treasury building. This is the first instance on record of one of their number proving unfaithful to his trust. Yesterday a gentleman called upon General Hillhouse and said:—

"Doesn't this sudden defalcation of one of your clerks make you distrust the rest?"

"No," answered the General, "I have a hundred clerks under me. I esteem them all. That there should be one black sheep in the number does not make me esteem the others any less. No one can be more sorry than I am about this affair. I trusted Johnson. He has repaid my trust with dishonesty, But I trust the others none the less.

Sympathy for General millhouse.

Among the brokers and bankers in the street general sympathy has been expressed for the false position in which the Assistant Treasurer has been placed by the Johnson defalcation. He is very popular among financial men, and since his tenure of office he has made many friends by his constant urbanity to all comers. That he should thus be made responsible for the large sum of \$183,000 through the dishonesty of another is the subject of universal regret. It is said by some that this defalcation will seriously compromise his position, as in case the money is not recovered his boudsmen will be made immediately responsible for the smouth.

How Johnson Disposen of THE MONEY.

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How Johnson disposed of the Money.

It is rendered certain by revelations which were made yesterday that Johnson was very much given to stock speculations. He has been a speculator ever since he has occupied his present position. It may seem strange that this fact should never have come to the knowledge of his superiors; but it appears he worked very quietly, and none but his most intimate friends knew this propensity of his. The Hrsa. Deporter had an interview with a paying teller of one of our most prominent banks yesterday. He said:—

"I have known him for a good many years, I knew that he dabbied in stocks a great deal, but I did not know where the money came from with which he did it. Last year I was at Fire Island with some friends. I met Johnson there; he told me one day that he had just lost \$70,000 on speculations in stocks. I asked him where he got the money to do it, but he did not give me any answer. I have suspected since that time that something was wrong, but Johnson was a good fellow, and it was none of my business, so I did not trouble my head about it; still I was astouned when I heard of his detaication for so large an amount."

From other interviews with various persons it was clear that this stealing of Johnson's was not done all at one time, but was the work of a long period. He sold about twenty-five thousand to lorty thousand dollars' worth each day in stamps, and it was no difficult matter for him to take \$5.000 and day, and then make false returns of the amount of stamps he had op a hand. When the law passed

Congress virtually about thing internal revenue stamps Johnson made frantic efforts to make good his deficiency. In this office would ceed. As the time drew near who his office would be abolished he despaired of being the might as his accounts straight, and then though the might as well be "guilty of stealing a sheep as a property of the remaining large sum which is charged to his account. He was probably behind hand, "bout his account. It was also done gradually day." stole the remaining large sam white account He was probably behind hand. bout his account He was probably behind hand. fifty thousal. deltars when he made his last a will of \$183,000. But this was also done gradually—da, by day taking the money—so that the idea that he stole stamps is erroneous. He did better; he stole the money. This makes the matter all the werse, for the probability of recovering money is much smaller than that of recovering stamps. In a few days there will probably be some more interesting facts in the case.

#### CATHOLIC CHRISTIAN UNION.

Russo-Greek Church-The Old Catholics and the Anglicans-The Basis of Union-What the Society of the Friends of Religious Instruction in Russia Are Doing-The Abbe Michaud' Opinion on Union.

It may be remembered that for many years there has been a movement among members of the Established Church in England, the Episcopal Church in this country and the Eastern or Greek Catholic Church to form a union, and to present to the Roman Catholic world an undivided front. Four years ago the Protestant Episcopal Convention which met in this city appointed a Committee on Union to correspond with other bodies of Christians. This committee, after reporting progress, were continued in office by the last General Convention. A similar committee exists in England, whose movements are in harmony with the American churchmen. The "Old Uatholic" movement in Germany has given new life and prominence to the union movement which has been sliently working and spreading itself for some years. Th schism has, however, been confined chiefly to the clergy; but recently the laity have taken it up, and in Russia, the fortress of oriental Christianity, a society exists known as the Society of the Friends

in Russia, the fortress of oriental Christianity, a society exists known as the Society of the Friends of Religious Instruction. This society was organized and incorporated in Moscow in 1862 and more recently in St. Petersburg, where

THE GRAND DURK CONSTANTINS, brother to the Emperor, has taken a deep interest in the purposes and aims of the society and has become its founder and president. The society has branches in different sections of the Empire and it aims to advance its principles by the distribution of religious and moral publications, tracts, periodicals, &c., in the vernacular of the people of the whole country, and by iyocums and lectures on the objects of faith, the Church and the Christian life. It summons to its aid the clergy and the laity alike to debate general eccles astical questions, and it strives to abolish religious dissolities and to remove ecclesiastical incongruities. Its principles and main objects are to bring about a closer relation between the Russian clergy and laity, and to promote the interchange of ideas between them and others in regard to the dectrines and usages of the orthodox Church; to further the distribution of sound opinions thereon by making the history and the present position and necessities of the orthodox Church more familiar to the general public, and to keep up intercourse and correspondence with the friends and champions of the truth in foreign lands and interchange publications with them and give such moral ald as may be required. The holy governing Synod has given its blessing to the society and a God-speed to its undertaking. The society is, in short, a tract society and a Christian union association.

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Such a society became an absolute necessity, since many persons, breaking away from the Latin Church by the study of the sources of Christian truth and ecclesiastical history and turning their faces toward the orthodox Eastern Church, had no encouragement and neither public organ nor association to direct, counsel and receive them. It was the increasing numbers of such applicants here and there every year that first prompted the organization of the

It was the increasing numbers of such applicants here and there every year that first prompted the organization of the SOCIETY FOR RELIGIOUS INSTRUCTION IN Russia; and with the present "Old Catholic" movement in Europe the applications are more and more numerous every month. A committee of Old Catholics in France recently applied to the St. Petersburg society for information in regard to the conditions whereby a union might be effected between them and the Oriental Church. The council of the Russian society considered the matter gravely and gave a reply. They disclaimed any official authority to act for the Oriental Church, and stated that the questions now being ventilated in Europe, regarding union with the Russo-Greek Church could not be finally decided; except by the authority of the whole Church in concert; but in the society's opinion there could be no union nor intercommunion between the Old Catholics and any other branch of Westen Christians and the Oriental orthodox Church, unless there be complete identity in the dogmas and an unconditional acceptance by the incoming body of the authority and acts of the first seven Ecumenical Councils, held previous to and including A. D. 783, before the Latin Church set up its claims to universal and supreme ecclesiastical authority. This is a condition sine quantom, from which the orthedox Church cannot move a step nor deviate one line from the dogmaic truth handed down to her from the Apostolic Church; nor can she at the same time permit anything to be added to these dogmas. Although requiring full and unconditional fidelity to the dogmas, the Oriental Church neither asks nor requires uniformity in rites by local churches and congregations. She respects local customs and traditions that are not in contradiction to her own dectrines and teaching, but she does demand unity and uniformity in the vital matters connected with the holy sacraments. In regard to

ty, has everywhere and at all times respected the automony of individual charches as soon as the traditions and elements necessary to the development of a regular and full life proved favorable and manifested themselves in such automony, provided that such independent existence do not conflict with the fundamental institutions of the Church. This answer is published at length in pamphlet form in French for general distribution, and Anglican and American Church unionists will readily see from it what their chances are for swallowing up the Oriental Church or being swallowed up by it.

The Abbe Michaul made a similar application to the Society at Moscow on his own behalf, and said the unity of the Churches was not only possible, but very probable, as soon as it became known among Western Christians that the Greek Church approaches more nearly the Apostolic Church that does the Latin. This fact, the Abbe adds, "is more deeply impressed on my mind the further I go on in the study of the first centuries of Christianity." Then, relating to particulars, he asserts that the return to the administering of the Lord's Supperinously of the clergy. "Senerally desired, together with "the reforms. As to inc "filioque" the Abbe says:—"According to my opinion there will arise no great di. "Culles firs acceptance or the non-acceptance of the Orthodox Greek Church." The union of the old Catholics and the Protestants is considered very doubtful.

# THE CAPTURE OF ROME.

Second Anniversary of This Event-Celebeation in St. Ann's Roman Catholic

Church Vesterday.
The capture of Rome by Victor Emmanuel's troops two years ago was a disastrous event for Papal authority in Italy. It is regarded by good Catholies as an act of vandalism of the very gross-est and worst sort. The defenders of the Holy See who fell in the assault on that city are looked upon as martyrs, and a requiem high mass is said for them annually. Such a service was held in St. Ann's Roman Catholic church yesterday, at which Ann's Roman Catholic church yesterday, at which there was a large congregation present and the ceremonies were very imposing. A handsome catafalque stood in the centre aisle, on which was a mahogany casket covered with the Roman flag, and upon it were a Zouave's uniform, cap and sword. At the head and foot of it were lighted tapers, the caudelabra filled with lighted tapers on the altar, and the stands of the large wax tapers were covered with black crape. The music consisted of AGRAND MASS BY HAYDN, and was effectively sung by a full choir. Father Preston, of St. Ann's, was the celebrant. Dr. Birdsall, of the Epiphany, Deacon; Father McDowell, of St. Michael, Sub Deacon; and Father Poole, of St. Ann's, Master of Ceremonies. There were also present Fathers Donelly, Dailey, Henry and a Franciscan friar, whose name was not ascertained.

At the conclusion of the mass the congregation, as they left the church. Dassed the catafalaue, and

were also present Fathers Doneily, Danley, hearly and a Franciscan friar, whose name was not ascertained.

At the conclusion of the mass the congregation, as they left the church, passed the catafalque, and several, as they did so, stooped and reverently kissed the Roman fag.

Some of the members of the Catholic Union of New York, under whose auspices this celebration took place, were anxious to have the service arranged so that all the members could have a general communion together on this occasion: but this, because of the long fast which it would necessitate and the detention from business, was deemed impolitic, and it was left optional with every man to commune, or not, as he pleased. The "Union" has been nearly two years in existence here, and numbers between four and five thousand persons, including all ages and both sexes. In Dublin yesterday a similar service was held in the lessit church in Gardiner street, and in the evening a public meeting was held in the Rotunda to protest against the occupation of Rome and the threatened suppression of the religious houses, at which Cardinal Cullen presided.

But while this anniversary was being held by American and Irish Catholics Italians were celebrating the occupation of Rome as an event to be joyful over. They had a festival and concert in in Sulzer's East River Park during the day, and in the evening a ball was given. The proceeds of the entire entertainment are to go to swell the

THE COURTS.

Extradition Case-The Charge Against M. Ahlander-Alleged Violation of the Shipping Law-"Supplemental" Charges to Juries-The Marshals of the Court of Oyer and Terminer Salaries of Public Officers-The Viele Abduction Case-Ju-

risdiction of Magistrates-Business in the Court of General Sessions.

UNITED STATES COMMISSIONERS' COURT. The Case of M. Ahlunder-Death of the King of Sweden.

The case of M. Ahlander, alias Magnus Ander was called yesterday. The defendant, it will be remembered, was charged with having, while acting in the capacity of Chamberlain in the prison of Landskrona, Sweden. embezzied 6,000 rix dollars the property of the Swedish government. Ahlanker arrived in this country in the month of June last. A demand has been made upon the United States for the extradition of the accused. The charge underwent a long examination before the Commissioner, who finally discharged Ahlander; but a second complaint having been lodged, founded, as the Swedish Consul alleges, upon additional evidence, Ahlander was re-arrested and the inquiry in regard to this new accusation is now pending before the Commissioner. Yesterday, when the matter was again brought up, it was adjourned to a further cay, in consequence of the expression of a wish to that effect from the Swedish Consul, who desired to pay respect to the memory of the king of sweden, whose death was announced in the likeald of yesterday.

Charge of Violating the Shipping Act.

Before Commissioner Shields. property of the Swedish government. Ahlanker ar-

Before Commissioner Shields.

The United States vs. William Burke, James charged with having violated the new shipping act by boarding the ship Pallas without the consent of the master. The evidence showed that the de-lendants were "junkmen," and went on board for the purpose of buying grease and not to induce the sailors to desert the vessel. They were thereupon

SUPREME COURT-CHAMBERS. A Singular Charge and What the Judge

Before Judge Leonard.

Charles Grant was recently convicted in the Court of General Sessions of grand larceny and sentenced for five years in the State Prison. Applica-tion was made in this Court yesterday for a writ of error and stay of proceedings. Mr. Edmond Price, making the application, stated that the Judge de-livered a supplemental charge to a portion of the

livered a supplemental charge to a portion of the jury, the other jurors being absent, and on this ground he made the application.

"Such an allegation," said Judge Leonard, "attacks directly the mode of administering justice in the Court of General Sessions. I cannot believe that such looseness prevails in that Court. I cannot entertain the application without a formal bill of exceptions,"

"I have been unable," replied Mr. Price, "to prepare a bill of exceptions, not having had time yet to get a copy of the stenographer's minutes."

"The whole thing must he discretionary with the Court," observed Assistant District Attorney Sullivan.

"I will grant the writ of error as a matter of right," said Judge Leonard, in giving his final decision, "but I deny any stay of proceedings."

And thus ended the matter in the Court. Mr. Price said he would prepare a bill of exceptions and show the whole thing up.

The Oyer and Terminer Marshals.

As previously stated in the Herald, there are

As previously stated in the HERALD, there are over ninety-one claimants for pay from the city treasury for alleged services as marshals at the Court of Oyer and Terminer, said appointments having been made by the Sheriff. Some time since the case of Thomas Smith was brought forward as a test case, the Comptroller having refused so pay them, and Judge Barrett, it will be remembered, granted a peremptory mandamus directing the Board of Audit and Apportionment to allow and audit the bill. Mr. Smita got his money, but the Comptroller failed to view his case as settling the question of the payment of the others. Application was made yesterday by Mr. Charles W. Brooke for a similar mandamus on behalf of Lawrence A. Curry. In the course of his remarks he stated that the course taken by the Comptroller compelled a separate application in all the cases, but he proposed to fight it out. His line of argument was the same as in the Smith case—that is to say, urging the legal appointment of Curry, his performance of the stipulated services, and that he was entitled to his pay. Mr. Dean, in responding on behalf of the city, urged a new point—that the appointments in question were vested in the Comptroller; that their appointment by the Sheriff was lilegal, and consequently that they had no legal claim to pay. The Court took the papers, reserving its decision. test case, the Comptroller having refused so pay

Applications for mandamuses against the Board of Audit still continue to flow in. Mr. Robert H. Johnston, clerk of the Special Sessions, seeks through Mr. Charles W. Brooke, his counsel, to get a balance claimed to be due him on his salary from June, 1871, up to the present time. His salary was fixed at \$6,000, and the Board of Audit, on the 1st of May, 1871, reduced it to \$4,800, and have only paid at this rate since. An affidavit of Comptroller Green, read by Mr. Bean, set for it this reduction of salary and exhaustion of the appropriation for payment of salaries in the Special Sessions for the last year. Mr. Brooke Insisted that the salary of Mr. Johnston was fixed by the Legislature, the same as the Judges of the State Courts, and that the Board of Audit had no right to reduce it. After hearing the arguments the Court took the papers.

The Victo Abduction Case.

The application to strike out a portion of the order relative to the custody of the children was granted yesterday by default, no one appearing to oppose. It was ordered by the Court that twenty hours' notice of the settlement of the order be given the other side. The settlement of the order was set down for next Thursday.

Decisions. Prothnol vs. Stinatt et al.—Default opened and order of reference vacated upon payment within ten days of the trial fee of \$30, the referee's fees of \$25, the disbursements of entering judgment of \$10, costs of opposing motion, and upon condition of

costs of opposing motion, and upon condition of the defendants procuring a substitution of attorney within thirty days or such additional time as the Court may grant.

The Stephens and Condit Transportation Com-pany vs. John T. Agnew et al.—Motion to continue injunction denied and temporary injunction dis-solved, with \$10 costs.

Thomas Holloway vs. Benjamin F. Stephens.—Mo-tion granted.

## SUPERIOR COURT-SPECIAL TERM. Conflict of Jurisdiction Between Two Mag-

istrates. Before Judge Curtis.

An aggravated assault is alleged to have been committed several days since upon Joseph Bailard by Daniel Lucy and James McDonald. Application was made yesterday on a writ of habeas corpus and certiorari for their admission to ball.

Mr. McClelland, on behalf of the prisoners, stated

that after their arrest they were taken before Judge Fowler, who was filling Judge Cox's place. Judge Fowler took the complaint and committed the prisoners to await the result of Ballard's injuries. Judge Cox subsequently had the prisoners brought before him, took the complaint over, re-

puries. Judge Cox subsequently had the prisoners brought before him, took the complaint over, recommitted the prisoners, and tore up Judge Fowler's commitment. The question was for the Court to decide which of these judges had jurisdiction, but in either case he claimed the prisoners should be released on bail.

Judge Fowler stated that he felt much aggrieved at the insinuation publicly made against him that he had evinced a disposition to use his official position in favor of the prisoners. The men were strangers to him. He added that application was afterwards made to have the men admitted to bail on a certificate from an assistant surgeon at Bellevue Hespital that Bailard was progressing favorably. This application he denied, inasmuch as the certificate did not set forth that Ballard was out of danger.

Assistant District Attorney Sullivan claimed that the commitment was regular on its isce and that the question of its validity was not affected by a misunderstanding between the two magistrates as to burisdiction. He opposed the application to admit to bail, inasmuch, as shown by certificate, Ballard was not yet out of danger.

Mr. McCleiland insisted that Judge Fowler had exclusive jurisdiction of the case. He asked that if the Court directed an examination he should send it before Judge Fowler.

Judge Curtis said he did not think that he was called upon to interfere in the misunderstanding between the two magistrates. Both complaint and commitment appeared to be regular on their face, and although a speedy examination was the hand consistent with the condition of the complaint and commitment appeared to be regular on their face, and although a speedy examination was the hand consistent with the condition of the complaint and commitment in force until to-day, when he intended to enforce his motion to admit the prisoners to ball.

Mr. Sullvan said that there was no ground for subposing that Judge Cox would not afford the

prisoners a fair examination and as speedily as the condition of the prosecutor would admit. If the magistrate, after an examination, should fix the bail at an exorbitant amount, application could then be made to the Court for its reduction. The writ was hereupon dismissed by Judge Curtis, and the prisoners sent back to prison.

Jacob Shipley vs. The Bowery National Bank.— Judgment for plaintiff. Elles Sutliff vs. Levi Broadstreet.—Order granted. Emetine Money vs. The Safe Deposit Company.— Same.
Gotfried Volkie vs. George Atletfer.—Same.

COURT OF CENERAL SESSIONS.

Before Judge Bedford.
Yesterday the City Judge sentenced the prison ers who pleaded guilty on Thursday as follows:-Thomas Clark, for burgiary in the third degree, the State Prison for five years; Julius Sc the State Prison for five years; Julius Scherlitz, Victor Meale and Marsha Cook, for larcoup, each to the State Prison for two years; Hugh Taffe and Samuel A. Cisco, for an attempt at burglary, and William Kaiser, for obtaining goods by false pre-tenees, each to the Penitentiary for one year; William Johnson, guilty of forgery in the fourth degree, to the Penitentiary for six months, and Aaron Stern and Nicholas Smith, for an attempt at inceny, to the Penitentiary for three months.

### THE IMPRISONED KU KLUX.

Alexander H. Stephens' Appeal to the President-Reply of Attorney General Williams.

The letter of Alexander H. Stephens to the Presi dent, asking for the exercise of Executive elemency in behalf of the Ku Klux prisoners, and the reply of the Attorney General, are as follows:-

MR. STEPHENS' APPEAL.

Liberty Hall, Crawfordstille, Ga., August 6, 1872.

To His Excellency U. S. Grabt, President of the United States, Washington, D. C.:—

My Drab Size—Of my own accord I make an appeal to Your Excellency for elemency and mercy in behalf of all those prisoners now suffering in penlitentiaries under sentence of Courts in several States of the Union for a violation of the net of Congress generally known as the Kuklux act, or for violation of the Enforcement acts of Congress, under prosecutions tounded upon the last-named act. Not a single one of these parties is known to me, nor am I acquainted in the slightest degree with the nature or character of the charges brought against them, nor with the facts upon which the conviction of a single one of them was tounded. My appeal is simply for elemency and mercy. It is founded upon these considerations:—

ency and mercy. It is founded upon these considerations:—

First—My impression from what I have seen in the newspapers is that all these convictions rest upon prosecutions for offences committed before the passage of the Ku Klux act. It is, believe, well known that I was ut terly opposed to all those combinations known as Ku Klux organizations. I have all my life been for law and order. Without, therefore, saying anything about outrages of this sort, either in extennation or condemnation, before the passage of the act of 1871 for their suppression by the federal authorities. I repeat that my impression is that no one in whose behalf I make this application committed an offence for which he is now suffering after the passage of this act. This view of the case, it seems to me, has been accomplished. I believe that no one now has any serious apprehensions of any jurther disturbances of this sort. Indeed, as I said before, none, as I believe, have occurred since the passage of the act for their suppression by the test all admirate.

has any serious apprehensions of any furner, and to fit is sort. Indeed, as I said before, none, as I believe, have occurred since the passage of the act for their suppression by federal authority.

Taked—When the object of punishment upon the individual and upon society is accomplished lenity should be the rule with all governments.

Forth—Many of these parties, I understand, are infirm, a few of them old, several of them have families dependent upon them, all of them have suitlered severely. For these reasons I ask you, by the authority vested in you, to grant them, one and all, a general pardon. I will present you with no view founded upon the constitutionality of the act under which they are suffering, or even of its doubtful constitutionality, but appeal to you to do, as Mr. Jefferson dia 1738, those who were involved to the particular of the second of the fixed of the fi wisely lotted in such cases in the hands of the execution. If, my dear sir, this petition cannot be granted I trust will not be deemed obtrusive. Let it be attributed sole on yield early (or all who are in prison. This t peal I shall put in the hands of others, who, I hope, matter giving it their endorsement, forward it to you. Morespectually, ALEXANDER H. STEPHENS

THE ATTORNEY GENERAL'S REPLY.

WASHINGTON, Sept. 16, 1872.

Sus—I have received your letter of the 6th uit. addressed to the President, and by him referred to me, in which you ask that a pardon may be granted to all of those prisoners now suffering in pentientiaries under senience of courts in several States of the Union for violation of the act of Congress generally mown as the Ku Klux act, or for violation of the Entorcement act of Congress under prosecutions ty may be granted to all of the Union for violation of the act of Congress under prosecutions that the propential them, nor with the tacts upon which the conviction of a single one of them was founded. Your application of a single one of them was founded. Your application seems to be based chiefly upon an impression that all the convictions rest upon prosecutions for offences committed before the passage of the Ku Kux Act, to which you subjoin as additional considerations that some of the parties are old and infirm and have suffering families, together with an opinion that the purposes of the government have been accomplished and that no one has any serious apprehensions of any further disturbances. I have not examined the cases with particular reference to the time when the offences were committed; but as most, if not all the convictions were for conspiracies, which are continuing erimes, I take it for granted that the parties convicted were found guilty either of entering into cuspiracies after the passage of the act or participation after that time in conspiracies previously formed. I am duly sensible of the sufferings produced by the imprisonment of the persons upon whose behalf you appeal for cluming, and sympatitize with their families and rilends but the guilt of some of the parties is so great and so clear that I cannot, with a due regard for the administration of the law, pecommend them as you desire for an indiscriminate pardon. Confirsty to cluminate participations where the Kux vorganizations are said to exist, inform me the participations wi disturbances will occur, especially if there is less vigor than heretofore shown by the government in the punishment of lawlessness and crime.

Some time since the attention of the President was called to those prisoners from the Southern States confined in the Albany Penitentiary, and a reliable officer was forthwith despatched to examine their cases, and his report there m was, in some respects, favorable; but,

med in the Albahy Fentenuary, and a reliable officer was forthwith despached to examine their cases, and his report there an was, in some respects, lavorable; but, as soon as the fact was known, certain journals circulating among those most likely to be affected by such representations, declared that the sole object of the President's action was to influence votes in the approaching election, and more than infimated that Ku Klux outrages hereafter would go unwhipped of justice. I can assure you that the acts of Congress in question impose upon the President an unpleasant duty, and one which he would, if consistent with his official obligations, gladly avoid; and I know it would afford him great satisfaction if the ka Klux and other similar associations would disband themselves and, instead of cultivating the passions of hatred and revenge, cultivate peace and good leeling among all classes of the community.

I am happy to learn, as I do from various sources, that crimes by the Ku Klux are less frequent than heretolore, in consequence of which there is a growing feeling of society among peaceant of the law; and while I am bound to say that so long as these crimes continue the offenders will be prosecuted with all possible promptitude and vigor, I have no hostation in adding that when the President its satisfied, that the danger from Ku Kinx violence has ceased, and that sick unlawful associations have been abandoned, he will be ready to exercise Executive elemency in all cases in the most liberal manner. The care of those who are in prison will be examined in due time, and to such as are found to have been the ignorant dupes and victims of designing men, as is alleged to be true in some cases, it is probable that a pardon will be granced; but the charge that some of these convicts have been guilty of stocking barbardles, and in some instances murder, renders it necessary to make a separate investigation and decision in each case. Very respectably.

Wery respectfully, ORO. H. WILLIAMS, Atterney Ceneral.

AN ALMSHOUSE WAIF. Adopted by a Rich Lady, But Won't Be a Gentleman-The Effects of Bad Com-panions and Evil Habits.

John Broadway, a young man twenty-five years of age, whose appearance and manners betokened his good breeding, was arraigned at the Yorkville Police Court yesterdny on a charge of larceny. A lady of middle age was his accuser. She testified that her name was Mrs. Catherine Humphrey, residing at No. 18 West Fifty-first street, and that the prisoner had stolen from her \$400 worth of jewelry. When she missed the property she accused him of the their, and he admitted the charge. In his examination at the Court he denied the charge, however, but was committed for a further hearing this morning. The history of the prisoner's life is an ever, but was committed for a further hearing this morning. The history of the prisoner's life is an interesting one, and was given to the Court by the complainant herself, whose grief at the young man's folly was unaffected and deep.

Mrs. Humphrey, it seems, is a lady possessed of a considerable share of this world's goods, and, although married, she has had no children of her own among whom to divide her wealth. Many years ago, while one day visiting the inmates at the alsmshouse, her attention was attracted by a bright little fellow, a few years old, who was playing around the place. On inquiry she learned that he had no parents alive, or, if he had, they were not then to be found, and, having taken quite a fancy to the child, she determined to adopt him asher own. The child was accordingly removed to With the same love and care that she would if he were her own neshand blood. But her tender solicitude and inotherly affection for the walf of, probably a degraded crigin, had been unattended with that success she so fondly wished. Instead of being the solace of her declining years, he began to plunder and rob her of whatever he could lay his hands on. Several times she forgave him, and for a while he would restrain himself, but would again break out as before. Ead company and the evil in his very nature led him from ball to worse, until finally he found himself the inmate of a prison cell. And even here the great affection his more than mother had for him came between him and the fate he se richly merited, and he escaped. This is the second time he has been under arrest on a charge of fetony, from which he will not so easily get free.

The places where he had pawned the Jewelry were visited and the property recovered, not, however, without having the money advanced on them paid by Mrs. Humpbrey.

Coroner Keenan yesterday held an inquest on the body of Walter N. Shults, a lad nearly six years of age, who died from tetanus, the result of injuries received on the 7th inst., caused by an iron grat-ing falling upon and crushing his hand, at 111 Greenwich avenue. The occurrence was quite accidental.

# CLUBBING AN ARTIST.

The Mayer Voting in the Board of Police to Dismiss the Officer.

SIGNIFICANT SUPPORT.

Curious Conduct of Officers in the Presence of the Commissioners in a Court Boom.

Officer Henry Lewith, of the Second precinct poffice, was charged before Judge Bosworth yester-day morning, by Mr. Matthew Morgan, with having unlawfully arrested Mm, and with clubbing and mattreating him during the journey to the station

The court room was not as crowded as usual on the morning of trials, but the number of officers there seemed to have got into the place with an idea they were going to be treated to a good joke, and make of them looked upon the entire afair in that light. From the moment the proceedings were opened the moment the proceedings were opened until they closed the understanding that the matter was only intended to be a farce was apparent upon the faces of the policemen present, but whether the public will look upon the case in the same light remains to be seen. When Mr. Morgan egan to tell the story of his trouble Sergeant Reilly, who sat in one of the seats inside the Court railing, showed his contempt for the Court and the business it was engaged in by extending his mouth to its fullest proportion in grimace, making a kind of half cover of his hand on side of it, and by this excited officers of lower grade than himself to make a bur esque of the trial. They were not slow to follow the example, a fact noticed and commented upon by several citizens when the comedy was over The police instituted this trial for the purpose, as they say, of getting at the truth, but, as really seem from the conduct of all concerned yesterday, to whitewash the officer complained of before the public. This is fully borne out by the

last evening. When the evidence was read to the Board he emphatically demanded the dismissal of the officer. A vote was taken and Commissioners Bosworth and Manierre both decided to dismiss the charge instead of the officer. Commissioner Burr, however, sustained the Mayor in his Honor's defence of justice. This course on the part of the Board, taken with the strong partiality exhibited on the trial, not only gives full license to the policemen to use their clubs on all occasions, but strongly en-Mr. Morgan stated to the Commissioners that on

Saturday night, the 14th inst., he went to the building No. 37 Nassau street to see a friend of his. Not being able to get into the place by the front door, he looked about for some person who could inform him how to obtain entrance. Two gentlemen pointed out to Mr. Morgan the rear door, and he went there. Finding it open, and two children second landing met the janitress. She refused to let him pass any further, or even to permit him to put his card under the door of the gentleman's room he wished to see. Mr. Morgan insisted that his business was of a very pressing nature and she ought to allow him to get to his friend's room. The woman raised her voice, which brought her husgan out of the house: but the woman, finding the gan out of the house; but the woman, inding the
task was more than her husband could accomplish,
ran into the street and brought Officer Lewith.
This latter took hold of Mr. Morgan by
the collar and rushed him into the
street and told the gentleman he knew
him, meaning he knew him to be a dangerous
character. Lewith, he said, brandished his staff
several times over his head, and threatened "to
lay him out,"

ON THE WAY TO THE STATION HOUSE.

ON THE WAY TO THE STATION HOUSE, ON THE WAY TO THE STATION HOUSE, finding he was being choked, Mr. Morgan tried to take his pocket handkerchief out of his pocket, but the policeman struck him on the arm with his club and would not allow him to do so, pretending he feared a revolver. This conduct was continued in the station house, and while in front of the desk he put this face down close to that of Mr. Morgan and told him, "If I had you outside I'd lay you out." Mr. Morgan asked for a glass of water, and a doorman started to get it for him, but as Mr. Morgan attempted to follow the doorman a few steps away from the railing Lewith caught him by the collar and violently pulled him back to the place he had formerly occupied. When Mr. Morgan had concluded his stateme and had been cross-examined at some length Judge Bosworth Lewith was asked I'he wish put any to the stateme and almost

remark it pied the janitress her statement, our in that of Mr. Morgan, with the exception that she showed having taken offence at the supposition by Mr. Morgan that the place was a tenement house. This, according to her evidence (which she gave in a hurried and excited manner), forced the lady to the conclusion that Mr. Morgan was a burglar or some suspicions character, and she was afraid he might have a pistol or knife. This suspicion she communicated to the policeman, and the clubbing of the artist was the result. Joseph White, the jantor, way then called. His statement was simply to the effect that he found Mr. Morgan in the hall, and his shouting at him, and the janitor attempted to eject him. When they got down one flight, and while they were scumling, Mrs. White arrived with an officer, and Mr. Morgan was dragged to the station house. Sergeant Heilly was then placed upon the stand. He informed the Commissioners that Mr. Morgan was treated with all the courtesy usually (?) extended to prisoners. The Sergeant's manner had completely changed, though, from what it had been at the commencement of the trial, and he looked so lamb-like in the presence of the Commissioners that one could with difficulty imagine how so sweet an individual could possibly be harsh or cruel. At this stage of the trial quite a gathering of policement started up to prove that Mr. Morgan was treated in the most genile, considerate manner in the station house, and that the handling of him was positively defloate. Those, however, who are accustomed to police evidence, as developed in trials before the Commissioners, can easily estimate its value and know the reliance to be placed upon it. Frank Maguire and John Malony, two young men, who saw the station house part of the affair, swore Mr. Morgan was treated with violence in the station house when he asked for water. It looks incredible, in the face of the evidence paced in the hands of the Commissioners, that they could still continue to keep upon the force such men as sergeant itelly and

# FOUND DROWNED.

The bodies of two unknown men were taken to the Morgue yesterday; one from pler No. 4 North River, and the other from foot of Stanton street, East kiver. The first was five feet seven inches in height, bald, and attired in blue flamed shirt, striped pants, white cotion socks and laced shoes; body much decomposed. The other was about thirty years of age, had dark hair, mustache and goatee; dressed in dark elothing, and had left leg amputated below the knee joint.

MARRIAGES AND DEATHS.

Married.

Jones-Erotherson.—At the Church of the Holy Communion, on Wednesday, September 18, by Rev. Dr. Gallaudet, Allen G. Jones, of Savambah, to Miss Sarah A., daughter of the late Philip Erotherson, of this city. No cards.

Kellam-Couenhoven.—At Trement, on Thursday, September 19, by the Eev. Alex. Nesbitt, Captain E. J. Kellam, of Richandn, Va., to Miss Jylia M., daughter of Robert Comenhoven, Esq., of Tremont. No cards.

MURPHY—NEGOLSON.—On Thursday, September 19, by Rev. John E. Cookisan, George Nicholson, of London, England, te Maggir Murphy, of this city. No cards.

Orden-Hill.—On Wednesday, September 18, et St. John's chapel, Yonkers, by the Rev. William Langford, S. C. Montgomery Orden, of Jersey City Heights, to Susie Annie, cidest daughter of Roward Hill, Esq., of Yonkers, N. Y.

Strong-Dietrich.—At the Reformed church, Dresden, Saxony, on Wednesday, August 28, by Rev. T. Osler, Hanky P. Strong, of Starrucca, Pa., to Miss Amelia Dietrich, of the former place.

Died. ANDREWS .- At Hamden, N. Y., on Wednesday.

September 18, of disease of the lungs, Fannie Landrews.

Free from pain, she's sweetly singing Hymns of praise to God she loved.
Only a day and we'll be with her, Happy in the realms above.

Funeral services from the residence of her unces, Jamin Andrews, 183 Rodney street, Brooktyn, and Jamin Andrews, 183 Rodney street, Brooktyn, and Jamin Landrews, 183 Rodney street, Brooktyn, and Jamin be taken to Greenwood.

Her real in Paris, France, on Thursday, September 19, 20, cholera infantum, Francis, younger son of Frances 1, 3nd Augusta F. Arnoid, of thus city.

BANTA.—On Thursday, September 19, Samuel.
BANTA aged 40 years.
His funeral will take place ... om 1,284 Third avenue, ou Saturday, the Ast Inst., at eleven o'clock
A. M.
BLAKE.—On Thursday, September 19, MATILDA J.
BLAKE, widow of John Blake, in the 4, th year of
her age.

BLAKE, widow of John Blake, in the 4. th year of her age.

Relatives and friends are respectfully inv.'ted to attend the fareral, this (Saturd'sy) atternoo. A at one o'clock, from her late residence, 200 L 4st. Thirty-inith street, corner of Third yenue.

BRADY.—At her residence, 21 Roose'se's street, on Wednesday, September 18, 1872, MARY BRADY, beloved wife of Richard Brady, aged 38 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from St. James' church, this day (Saturday), at two P. M.; thence to Calvary Cemetery.

BRIODY.—On Thursday evening, September 19, 1872, PATRICK BRIODY, a native of the county Meath, fredand, in the 38th year of his age.

The triemis and acquaintances of the family are respectfully invited to attend the funeral, from fist late residence, 257 Van Reunt street, Brooklyn, our Sunday afternoon, September 22, without further

Sunday aftermoon, September 22, without further notice.

BOYD.—Suddenly, on Thursday, September 19, Emma Alice, only child of George M. and Emily E. Boyd, aged I year, 7 months and 19 days.

The friends and acquaintances of the family are respectfully invited to attend the funeral, en Sunday, the 22d Inst., from their residence, 63 West Thirty-eighlis street, at one o'clook.

Campbell.—At Englewood, N. J., on Thursday, September 19, Kerry, the bethyed daughter of Patrick Campbell and Mary Freeland, aged 5 years, 9 months and 16 days.

The relatives and friends of the family are respectfully invited to attend the funeral, at One o'clock P. M., this day (Saturday), from the foot of Christopher street, and thence to Calvary Cometery.

spectfully invited to attend the funeral, at one o'clock I'. M., this day (Saturday), from the foot of Christopher street, and thence to Calvary Cometery.

Cannon,—On Thursday, September 19, John Cannon, a native of county Leitrim, Ireland, in the 32d year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, No. 34 City Hall place, to-day (Saturday), September 21, attwo o'clock P. M.

Canney.—In Williamsburg, at her residence, 282 Hooper street, on Friday, September 20, Margaret Ann Carney.—In Williamsburg, at her residence, 282 Hooper street, on Friday, September 20, Margaret Ann Carney.—In Williamsburg, at her residence, 282 Hooper street, on Friday, September 20, Margaret Ann Carney.—In Williamsburg, at her residence, 282 Hooper street, on Friday, September 19, Henrietta May, infant daughter of Edward P. and Mary A. Oarber, aged 30 years.

Deckers.—On Wednesday, September 18, Sarah Jannikt Vreeland, wide of Edmund Decker, aged 30 years.

Relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 332 West Twenty-serventh street, on Sanday, September 22, at ten o'clock precisely. Remains will be taken to Staten Island by the 11:35 boat, from pler 19. Funeralservices will be taked at New Spring ville Methodist church, at one o'clock.

ELLIOTT.—In Brooklyn, on Friday, September 29, John Elliott, aged 21 years and 3 months.

Relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his mother, 45 Varetstreet.

HUNTER.—The members of John Hancock Lodge, No. 76, F. and A. M., are hereby summoned to meet at their lodge rooms, corner Grand and Centre streets, on Sunday, September 22, at twelve o'clock M., for the purpose of paying the last tribute of respect to our worthy Brother, John W. Hunter. By order of S. GODCHAUD, Master.

Jacobs, aged 11 months and 19 days.

Rehatives and friends are respectfully invited to attend the funeral, from the resid

of Bay and Henderson streets, on Sunday afternoon, at two o'clock.
Western papers please copy.
JONAS.—On Friday, September 20, WILLIAM JONAS,
in the 78th year of his age.
The funeral will take place on Sunday, 22d inst.,
at one o'clock, from 347 East Twenty-third street.
KILGOUR.—On Friday morning. September 20,
MARY E., wife of George C. Kilgour.
The relatives and friends of the family are respectfully invited to attend the funeral, from the
residence of her father-in-law, David Kilgour, Jr.
14 Grove street, Brooklyn, E. D., on Sunday afternoon, September 22, 1872, at two o'clock. Broadway cars from Williamsburg ferry, Green and Gates
avenues from Fulton ferry. way cars from Whitanasara, avenues from Fulton ferry.
LYNG.—On Friday, Soptember 20, of consumption,
Mrs. Sydney LYNG, in the 25th year of her age.
Priords and acquaintances are respectfully in-

Friends and acquaintances are respectfully invited to attend the funeral, this (Saturday) afternoon, at one o'clock, from 262 West Thirty-fifth noon, at one o'clock, from 202 west lines, macdurp.—At Riverhead, L. I., on Wednesday, September 18, of hemorrhage of the lungs, James Macdurp, in the 67th year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, Washington avenue, Tremont, Westchester county, on Sunday, 22d inst., at two o'clock. MATHEWS.—George A. MATHEWS, aged 32 years, months and 20 days.

'friends of the family and also the members tha Lodge of F. and A. M., No. 434, Mount attacks of the family are respectfully interested the funeral, from his late residence,

the funeral, from his late resi-cooklyn, at one o'clock, on

MOORE.—In .

MOORE.—In .

MOORE,—In .

Mocre, in the the 430 .

The funeral service w.
Church, corner of Henry an.
Saturday, September 21, at two.
relatives and friends of the famin,
invited to attend.

McKENNEY.—On Thursday, September .

RINE McKENNEY, of Tyrone, Ireland, aged .

The relatives and friends are repectfully in.
to attend the funeral, from 259 Muloerry street.
OGDEN,—At Highlands, N. J., on Friday morning,
September 20, after a short illness, Mrs. Harnier
OGDEN, aged 93 years, 3 months and 5 days.

Notice of iuneral hereafter.
ROBERTS.—On Friday, September 20, after a
short and severe illness, Bridger Roberts, wife of
william B. Roberts, and daughter of Denis Haverty,
of Loughkay, county Galway, Ireland.

The relatives and friends, also those of her
brother, Denis Haverty, are respectfully invited to
attend the luneral, from her late residence, 11d
Mott street, on Sunday, September 22, at two
o'clock, P. M.

SNAREY.—At Greenville, N. J., on Friday, September 20, after a lingering illness, Robert H.

SNAREY.—At Greenville, N. J., on Sunday, the
22d inst., at one o'clock P. M.

English papers please copy.

SOUZA.—After a short illness, John F. SOUZA, in
the 46th year of his age.

The friends of the family, also Greenpoint Lodge,
No. 403, F. and A. M., are respectfully invited to
attend the funeral, on Sunday, the 22d inst., at two
o'clock, from his late residence, 16 Norfolk street.
Chicago papers please copy.

VANDERHORST.—On Thursday, September 19,
PETER, only son of Jacob W. and Maria P. C. Vanderhorst, aged 21 years and 12 days.

The riends of the family are respectfully invited
to attend the funeral, at one o'clock P. M., on Saturday. September 21, from the residence of his
parents, 207 Third street, Brooklyn, E. D.

WATSON.—On Wednesday, September 18, 1872,
Bridger, the beloved wire of James Watson, aged
26 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from her The relatives and friends of the family are re-spectfully invited to attend the funeral, from her late residence, 219 East Twenty-ninth street, on Sunday, September 22, at two o'clock P. M. sharp.

NEW PUBLICATIONS.

THE AMERICAN ATHENAUM, AN INDEPENDENT Princial journal, out to-day.

Editorials—English Autors on the Stump—Musical Culture in New York—New Books and Music Keviewed—Sketch of Edmund Yates—Literary Gossip—Foreign Orrespondence Dramatic Notices: Sarder's "Arnes;" Fechters "Frederic"—Sketches of Eminent Artistes; Fechters "Frederic"—Sketches of Eminent Artistes; Gossip—Fratti-Mario Concerts—Scientific Notes—Editorial Jothing, &c. &c. & 4s year; 10 cents a number.

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